

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

IN RE: Edwin Milton Helquist, Jr. & Cathy Lou Helquist
Chapter 13 Debtors

Case No. 06-31174-DOT

MEMORANDUM OPINION

Hearing was held on July 18, 2007, on objections by the Office of the United States Trustee, and by the chapter 7 trustee, Robert Hyman, to the Boleman Law Firm's supplemental applications for compensation and expense reimbursement in the above case. The chapter 7 trustee objects primarily to the number of copies made in the Helquist case only, and his objection will be dealt with in this opinion. The U.S. Trustee's objection will be dealt with in a separate opinion. For the reasons set forth below, the court will reduce the expense reimbursement allowed in this case. A separate order will be entered.

Chapter 7 Trustee Objection Applicable to Helquist Case Only

The chapter 7 trustee objected to the number of copies made in Helquist, along with the cost of that volume of copies. The trustee suggested at the hearing an allowance of copy expenses equating to 32 copies per creditor, for a total reimbursement of \$750.00, rather than the \$1,102.87 which is being requested in the application after the voluntary reduction. From the application, it appears that 8,823 copies were made in this case. The case had a large number of creditors, with 92 parties listed on the service list.

The case involved the filing of four plans or modified plans, along with a motion to extend the automatic stay and a motion to sell real property. Each of these large documents must

be sent to all creditors. The first 8-page¹ plan was filed on May 16, 2006, followed by a 7-page amended plan on June 14, 2006. That plan was confirmed. A motion to extend the automatic stay, consisting of 13 pages, was filed on June 1, 2006. A motion to sell real property, consisting of 9 pages, was filed on August 21, 2006. An 8-page amended plan was filed on February 20, 2007, followed immediately by a corrected 8-page plan filed on February 21, 2007, which was likewise confirmed. The February 20 plan listed \$45.00 as the monthly payment, whereas the February 21 plan corrected this typographical error and listed \$345.00 as the monthly payment. The total plan funding amount remained the same across the two plans, and no other changes appear to have been made. The total copies made for these six documents in the case thus should have been approximately $8+7+13+9+8+8 = 53$ original pages, $\times 92$ parties = 4,876 copies. Therefore, it appears that the majority of the 8,823 copies made in this case were for these six filings out of 61 docket entries. Given that a typographical error on an amended plan required re-sending an 8 page document to 92 parties, the court believes that these 736 pages should not be reimbursed because they reflect administrative error. Therefore, at the modified rate of \$0.125 per page, the amount requested for reimbursement will be reduced by \$92.00.

The court will allow the expense reimbursement, as discussed in the opinion dealing with the U.S. Trustee's objection, at the rate of \$0.125 per copy for all 8,823 images, less \$92.00 in charges for the corrected amended plan. Therefore, a separate order will be entered allowing \$1,010.87 in reimbursement for copies made in this case, which, added to other unpaid expenses yields a total reimbursement of \$1,101.57.

¹ The number of pages counted for each document excludes the pages of the creditor matrix, which the court presumes are not copied.

SIGNED: Aug 10 2007

/s/ Douglas O. Tice Jr.
DOUGLAS O. TICE JR.
CHIEF UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: Aug 10 2007

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